

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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HAROLD D. HARDEN,
Plaintiff,
vs.
NEVADA DEPARTMENT OF
CORRECTIONS, *et al.*,
Defendants.

2:14-cv-02008-JAD-VCF
ORDER

Before the Court is Defendants' Motion to Strike Plaintiff's Reply/Opposition to Defendants Answer to Plaintiff's First Amended Complaint (ECF No. 7) with Motion to Strike Pursuant to Fed. R. Civ. P. 12(f). (ECF No. 68). Defendants seek to strike Plaintiff's reply to the answer to the amended complaint (ECF No. 65), second reply to the answer to the amended complaint (ECF No. 66), and Plaintiff's motion to strike Defendants' answer to complaint (ECF No. 67).

No opposition has been filed. The time to file an opposition to the motion has passed. Under Local Rule 7-2(d), the failure of an opposing party to file points and authorities in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney's fees, constitutes a consent to the granting of the motion. Here, it would seem that *pro se* Plaintiff Harold D. Harden has consented to the granting of the instant motion.

On July 29, 2016, the Court denied Plaintiff's Motion to Strike Defendant's Answer to Complaint (ECF NO. 67). (ECF No. 72). Defendants' request to strike ECF NO 67 is moot.

Accordingly, and for good cause shown,

IT IS HEREBY ORDERED that Defendants' Motion to Strike Plaintiff's Reply/Opposition to Defendants Answer to Plaintiff's First Amended Complaint (ECF No. 7) with Motion to Strike Pursuant to Fed. R. Civ. P. 12(f) (ECF No. 68) is GRANTED in part and DENIED as moot in part.

1 The Clerk of Court is directed to strike Plaintiff's replies to the answer to the amended complaint
2 (ECF No. 65 and 66).

3 DATED this 12th day of August, 2016.

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6 CAM FERENBACH
7 UNITED STATES MAGISTRATE JUDGE
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